

Senate File 256 - Introduced

SENATE FILE _____
BY BOLKCOM _____

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the civil penalty imposed when a driver's
2 license is suspended or revoked, by allowing the penalty to be
3 paid in installments.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2321SS 82
6 dea/es/88

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1 1 Section 1. Section 321.218A, as amended by 2005 Acts,
1 2 chapter 54, section 2, is amended to read as follows:
1 3 321.218A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.
1 4 When the department suspends, revokes, or bars a person's
1 5 driver's license or nonresident operating privilege for a
1 6 conviction under this chapter, the department shall assess the
1 7 person a civil penalty of two hundred dollars. However, for
1 8 persons age nineteen or under, the civil penalty assessed
1 9 shall be fifty dollars. The civil penalty does not apply to a
1 10 suspension issued for a violation of section 321.180B. The
1 11 money collected by the department under this section shall be
1 12 transmitted to the treasurer of state who shall deposit the
1 13 money in the juvenile detention home fund created in section
1 14 232.142. The department shall develop procedures to accept
1 15 payment of the civil penalty in installments according to a
1 16 reasonable schedule agreed to by the department and the person
1 17 owing the penalty. A temporary restricted license shall not
1 18 be issued or a driver's license or nonresident operating
1 19 privilege reinstated until the civil penalty has been paid or
1 20 until an agreement has been entered into for payment of the
1 21 civil penalty in installments. The department may suspend or
1 22 revoke the temporary restricted license of a person who
1 23 violates the terms of a payment agreement. A person assessed
1 24 a penalty under this section may remit full payment of the
1 25 civil penalty along with a processing fee of five dollars to a
1 26 county treasurer authorized to issue driver's licenses under
1 27 chapter 321M, or the civil penalty may be paid directly to the
1 28 department.

1 29 Sec. 2. Section 321A.32A, as amended by 2005 Acts, chapter
1 30 54, section 6, is amended to read as follows:

1 31 321A.32A CIVIL PENALTY == DISPOSITION == REINSTATEMENT.
1 32 When the department suspends, revokes, or bars a person's
1 33 driver's license or nonresident operating privilege under this
1 34 chapter, the department shall assess the person a civil
1 35 penalty of two hundred dollars. However, for persons age
2 1 nineteen or under, the civil penalty assessed shall be fifty
2 2 dollars. The money collected by the department under this
2 3 section shall be transmitted to the treasurer of state who
2 4 shall deposit the money in the juvenile detention home fund
2 5 created in section 232.142. The department shall develop
2 6 procedures to accept payment of the civil penalty in
2 7 installments according to a reasonable schedule agreed to by
2 8 the department and the person owing the penalty. A temporary
2 9 restricted license shall not be issued or a driver's license
2 10 or nonresident operating privilege reinstated until the civil
2 11 penalty has been paid or until an agreement has been entered
2 12 into for payment of the civil penalty in installments. The
2 13 department may suspend or revoke the temporary restricted
2 14 license of a person who violates the terms of a payment
2 15 agreement. A person assessed a penalty under this section may
2 16 remit full payment of the civil penalty along with a
2 17 processing fee of five dollars to a county treasurer
2 18 authorized to issue driver's licenses under chapter 321M, or
2 19 the civil penalty may be paid directly to the department.

EXPLANATION

2 20
2 21 This bill allows a person whose driver's license has been
2 22 suspended or revoked to pay the civil penalty required for
2 23 reinstatement of the license in installments, rather than in a
2 24 lump-sum payment, according to an agreement between the
2 25 licensee and the department of transportation. Once a payment
2 26 plan is agreed to, the person would be eligible for a
2 27 temporary restricted license, or to license reinstatement.
2 28 Failure to make the payments agreed to would be grounds for
2 29 suspension or revocation of the temporary restricted license.
2 30 Beginning July 1, 2007, the civil penalty may be paid in full,
2 31 along with a processing fee of \$5, to a county treasurer
2 32 authorized to issue driver's licenses. Installment payments
2 33 would be made directly to the department.
2 34 Currently, when a driver's license or nonresident operating
2 35 privilege is suspended, revoked, or barred, a \$200 civil
3 1 penalty is imposed, or for a person 19 years of age or
3 2 younger, a \$50 penalty is imposed. A temporary restricted
3 3 license may not be issued and a driver's license or
3 4 nonresident operating privilege may not be reinstated until
3 5 the civil penalty is paid. Moneys collected from the
3 6 penalties are credited to the juvenile detention home fund.
3 7 LSB 2321SS 82
3 8 dea:nh/es/88